

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

LINCOLN DAVID ALLEN,	)	
AIS #150171,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:06-CV-1020-MHT
	)	[WO]
	)	
GWENDOLYN MOSLEY, et al.,	)	
	)	
Defendants	)	

**ORDER ON MOTION**

In the document filed with this court on November 28, 2006 (Court Doc. No. 8), the plaintiff seeks appointment of counsel "or at the very least that he may be subsequently appointed and temporarily afforded a lawyer to represent him during any future depositions." *Court Doc. No. 8* at 2. The court therefore construes this portion of the document as a motion for appointment of counsel. The facts underlying the plaintiff's claims for relief are relatively simple and the law applicable to such claims is not complex. Moreover, the pleadings filed in this case clearly establish that the plaintiff is capable of presenting the necessary elements of his claims to this court and advancing his cause throughout all requisite proceedings. Thus, the plaintiff fails to demonstrate that there are exceptional circumstances justifying appointment of counsel. *See Bass v. Perrin*, 170 F.3d 1312, 1320 (11<sup>th</sup> Cir. 1999); *Kilgo v. Ricks*, 983 F.2d 189, 193 (11<sup>th</sup> Cir. 1993); *Dean v. Barber*, 951 F.2d 1210, 1216 (11<sup>th</sup> Cir. 1992). Accordingly, it is

ORDERED that the motion for appointment of counsel be and is hereby DENIED.

Done this 29th day of November, 2006.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE